United Nations S/PV.4997

Security Council

Fifty-ninth year

Provisional

4997th meeting

Friday, 25 June 2004, 11.10 a.m.

New York

President:	Mr. Baja	(Philippines)
Members:	Algeria	Mr. Baali
	Angola	Mr. Lucas
	Benin	Mr. Zinsou
	Brazil	Mr. Tarrisse da Fontoura
	Chile	Mr. Rehren
	China	Mr. Cheng Jingye
	France	Mr. Florent
	Germany	Mr. Gansen
	Pakistan	Mr. Tariq Salim Chaudhry
	Romania	Mr. Motoc
	Russian Federation	Mr. Konuzin
	Spain	Mr. Yáñez-Barnuevo
	United Kingdom of Great Britain and Northern Ireland	Mr. King
	United States of America	Mr. Olson

Agenda

The situation in Bosnia and Herzegovina

Letter dated 19 February 2004 from the Secretary-General addressed to the President of the Security Council (S/2004/126)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

04-40444 (E)

The meeting was called to order at 11.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Letter dated 19 February 2004 from the Secretary-General addressed to the President of the Security Council (S/2004/126)

The President: I should like to inform the Council that I have received a letter from the representative of Bosnia and Herzegovina, in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Kusljugic (Bosnia and Herzegovina) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2004/126, which contains the text of a letter dated 19 February 2004 from the Secretary-General addressed to the President of the Security Council, and its enclosure.

After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council.

"The Security Council notes the report of the High Representative for Bosnia and Herzegovina to the Secretary-General of the United Nations of 18 February 2004 (S/2004/126, annex), which refers to the increasing number of challenges to the police certification process conducted by the United Nations Mission in Bosnia and Herzegovina (UNMIBH) International Police Task Force (IPTF).

"The Security Council recalls its relevant resolutions and its support for the General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes thereto (collectively the Peace Agreement, S/1995/999, annex). The parties to the Peace Agreement had the responsibility to cooperate fully with, and to instruct their respective responsible officials and authorities to provide their full support to, the IPTF during its mandate on all relevant matters. The Council affirms that such responsibility included giving full and immediate effect to the decisions issued by the IPTF, including decisions to deny certification. The Council also affirms that Bosnia and Herzegovina has the obligation to respect fully and to promote the fulfilment of its responsibilities under the Peace Agreement.

"The Security Council reaffirms the legal basis in the Charter of the United Nations on which the IPTF was given its mandate. The Council recalls that during its mandate the IPTF was entrusted with the tasks set out in Annex 11 of the Peace Agreement, including the tasks referred to in the Conclusions of the London, Bonn, Luxembourg, Madrid and Brussels Conferences and agreed by the authorities in Bosnia and Herzegovina.

"The Security Council affirms that the certification process was carried out pursuant to the mandate of the IPTF and fully endorses this process. The comprehensive and rigorous vetting procedure was designed to create a police force comprised entirely of personnel meeting internationally recognized standards of personal integrity and professional performance.

"The Security Council expresses concern at the failure of the competent authorities in Bosnia and Herzegovina to take due steps to implement decisions to deny certification. The Council notes that this failure has already led to several challenges before the courts in Bosnia and Herzegovina brought by persons whose employment in Bosnia and Herzegovina's law enforcement agencies was terminated pursuant to a denial of certification by the IPTF.

"The Security Council further notes that in some cases such persons have been reinstated following decisions of some local courts. The

Security Council calls upon the Bosnia and Herzegovina authorities to ensure, including through the adoption or amendment of domestic legislation, that all IPTF certification decisions are fully and effectively implemented and that the employment of persons who were denied certification by the IPTF be terminated, and that such persons will be precluded from employment, either now or in the future, in any position within any law enforcement agency in Bosnia and Herzegovina."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2004/22.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 11.15 a.m.